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March 19, 2021

Honorable John Michael Vazquez, U.S.D.J.
United States District Courthouse, District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

Re: Vincent LaBarbiera v. Joseph Vartolone, et al.
Civ. Action No.: 2:21-cv-3400JMV-JBC

Dear Judge Vazquez:

Please be advised that the undersigned represents Plaintiff, Vincent LaBarbiera in the above referenced matter. Plaintiff recently filed an Amended Complaint in the Superior Court of New Jersey, Bergen County and Defendant Christopher DiPiazza removed the case to the United States District Court on February 24, 2021. Defendant subsequently filed a Motion to Dismiss Plaintiff's Amended Complaint, which is returnable on April 5, 2021 and our opposition brief is due March 22, 2021. We would respectfully request a one cycle adjournment and have consent from Richard Malagiere, Esq. for same.

However, Plaintiff will be filing a Motion to Remand pursuant to 28 U.S.C. § 1447(c) for lack of subject matter jurisdiction by the March 26, 2021 due date. It is respectfully requested that Defendant's Motion to Dismiss be adjourned until Plaintiff's Motion to Remand has been decided as the basis of the application is that the Court lacks subject matter jurisdiction. If that motion is granted, the Motion to Dismiss will be rendered moot. Kindly advise if this request is granted at your earliest convenience.

Thank you for your consideration in this matter.

Very truly yours,

/s/ Matthew T. Priore

MATTHEW T. PRIORE

MTP/sjd

cc: All Counsel of Record